

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local Scheduled Tribe Certificates as per G.O.Ms.No.24., T.W (LTR.1) department dated 12.6.2018 – Rejection of Agency Area Local Scheduled Tribe Certificate by the Collector & District Magistrate, Adilabad vide Proc.No.C3/4/0035/2021, dated 21.02.2022 - Appeal filed by Sri Jadhav Ram Kumar S/o.Datha Ram, R/o. Dhondandha Thanda Village of Indervelly Mandal, Adilabad District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.35

Dated:15.10.2022,

Read the following:-

1. G.O.Ms.No.24, T.W (LTR.1) Department, dated 12.06.2018.
2. Proceedings No.C3/4/0035/2021, dated 21.02.2022 O/o. the Collector & District Magistrate, Adilabad District.
3. Appeal petition filed by Sri Jadhav Ram Kumar S/o.Datha Ram, R/o. Dhondandha Thanda Village of Indervelly Mandal, Adilabad District dated 13.03.2022.
4. Govt.Memo No.535/TW.LTR/2022, dated 12.04.2022.
5. Govt.Notice.No.535/TW.LTR/2022, dated 12.04.2022.
6. From the Project Officer, ITDA, Uttoor, Adilabad District, letter Rc.No.D5/309/2018, dated 22.04.2022.
7. Written submission of the appellant, dated 23.04.2022.

ORDER:-

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In the proceedings 2nd read above, the District Collector & Magistrate, Adilabad District basing on the following findings of the Scrutiny Committee headed by the Project Officer, ITDA, Uttoor, has issued orders that Sri Jadav Ram Kumar S/o. Datharam R/o Dhondandha Thanda village of IndervellyMandal, Adilabad District, is not a Local Scheduled Tribe as per definition of G.O.Ms.No.24, TW (LTR.1) Dept. dated 12.06.2018.

- The Sarpanch, GP Devulanaik thanda of Boath Mandal has passed resolution stating that the applicant's father and grandfather resided from before 1950 upto 1964 at Pardi-B village of Boath Mandal. His grandfather had land in Sy.No.36 and after that his family migrated to Dhodanda village GP Gattepally of Indervelly Mandal.
- His grandfather viz., Rupula Jadhav S/o Kevala was enrolled in the Voter List of 1971 under Part No.200 of Gattepalli Polling Station in Boath Assembly Constituency.
- Names of his grandfather, grandmother and father (Jadhav Rupula, Sonibai W/o Rupla and Datha) were enrolled in the Voter List 1977 of 241 Boath (ST) Assembly Constituency at Sl.Nos.77,78 and 79 of Gattepalli Polling Station under Part No.160.
- Family Tree Notarized.
- Pattedar Pass Book (Old & New), PPB, Aadhar Cards of his father and paternal uncle (father's brother) were tallied with Family Tree.
- With the above documents, the Scrutiny Committee opined that Sri Jadav Ram Kumar S/o Datharam R/o Dhondandha Thanda village of Indervelly Mandal of Adilabad District has produced documents only from 1955 in Pardi village of Boath Mandal and not produced any documentary evidence as a local resident from 1950 as required under GO Ms.No.24, TW (LTR.1) Dept. dt.12.6.2018.

3. Aggrieved by the above orders of the Collector & District Magistrate, Adilabad District in the reference 3rd read above, the appellant Sri Jadav Ram Kumar S/o. Datharam R/o Dhondandha Thanda village of Indervelly Mandal, Adilabad District has filed the Appeal before the Government along with the following documents:

- i) Family Tree – Jadhav Rupla S/o Kevalya is grandfather of Appellant. He has five sons namely 1) Sakaram 2) Datharam (father of appellant) 3) Mohan 4) Digambar and 5) Gopal. Jadhav Datharam (father of appellant) has four children namely 1) Kavitha (daughter) 2) Vandana (daughter) 3) Ramkumar (son and appellant herein) and 4) Prakash (son).

(PTO...)

- ii) Resolution dated 16.7.2021 of GP Devalanaik thanda, Boath Mandal, Adilabad District – wherein it was resolved that Sri Jadhav Rupla, his son Jadhav Dattaram lived in Pardi-B village of Boath Mandal from before 1950 and has land in Sy.No.36/AA from 1953 year. In the year 1964, they migrated from Pardi-B village to Gattipelli in Inderveli Mandal and presently son of Jadhav Rupla namely Jadhav Dattaram is living in Dhodanda village.
 - iii) Resolution dated 16.7.2021 of GP Gattepally, Indervelly Mandal – wherein it was resolved that Jadhav Rupla, his son Jadhav Dattaram lived in Gattepally village from 1965 and their names were enlisted in Voter lists of 1971 (at Sl.No.82), 1977 (at Sl.No.77) and has land in the year 1969 in Sy.No.12. His elder son namely Dattaram possessed land in Sy.No.12/35 from 1982.
 - iv) Resolution dated 26.7.2021 of GP Dhodanda, Indervelly Mandal – wherein it was resolved that Jadhav Dattaram has been living in Dhodanda thanda village from 1990, he has house bearing No.1-0 and land in Sy.No.12/61.
 - v) Voter list 1971 – 237 Boath Assembly Constituency - Gattepalli village – Uttoor Taluq – Firka Indervelly – Sl.No.82 (H.No.1-29) shows name of Rupla S/o Kevla (grandfather).
 - vi) Voter list 1977 – 241 Boath Assembly Constituency – Gattepally village – Uttoor Taluq – Firka Indervelly – Sl.No.77,79 show names of Jadhav Rupla and Datta.
 - vii) Pahanies 1955-56 – Pardi B village – shows name of Rupla for an extent of acs.15.25 in Sy.No.36/A purchased from Kishan Rao, Pattedar on 29.8.1953; 1961-62, 1962-63, 1964-65 show name of Rupla for an extent of acs.15.25 gts in Sy.No.36/A, 1976-77 (shows name of Rupla), 1982-83 (shows name of Dathu S/o Rupla), 2014 (Fasli 1424) shows name of Dattaram (father of appellant).
4. In the reference 4th read above, Government have sent copies of the Appeal Petition to the Collector & District Magistrate, Adilabad District and the Project Officer, ITDA, Uttoor, with a request to furnish connected records along with Para wise remarks to Government.
5. In the reference 5th read above, a Notice has been sent to the Appellant to attend for hearing on 23.04.2022 at 3.00 PM before the Government to prove his claim along with documentary evidences.
6. The Appellant has attended the hearing on 23.04.2022 at 3.00 PM and submitted the written submission along with documents.
7. In the reference 6th read above, the PO, ITDA, Uttoor has submitted the copies of connected records at the time of hearing on 23.04.2022 and it is observed that the Scrutiny Committee headed by the Project Officer, ITDA Uttoor and the Collector & District Magistrate, Adilabad in the Procs.No.C3/4/0035/2021, dated 21.02.2022 has arrived at declaring the Appellant as not a local ST as he failed to produce documentary evidence from 1950 to 1954 i.e. for only (4) years. The Gram Panchayats, Devalanaik thanda, Gattepally and Dhodanda in their Resolutions dated 16.7.2021, 26.7.2021 has resolved that grandfather, father of appellant viz., Jadhav Rupla and Dattaram lived in Pardi-B village of Boath Mandal from before 1950, having land in Sy.No.36/AA from 1953 year, in the year 1964 migrated to Gattepalli village in Indervelli Mandal where names of grandfather and father enrolled in the Voter lists of 1971, 1977 and presently Jadhav Dattaram (father of appellant) living in Dhodanda village. Thus, from the evidentiary material produced by the Appellant, it is found that the Appellant, his father and grandparents have been continuously living in Pardi-B, Gattepally and Dhodanda thanda of Adilabad District from 1950 onwards which are notified as Agency villages in the Presidential Order, 1950.
8. Therefore, Government after careful examination of the matter, hereby Allow the Appeal filed by Sri Jadhav Ram Kumar S/o Datharam declaring him as Agency Area Local ST of Dhodanda thanda agency village in Indervelly Mandal of Adilabad District duly setting aside orders of the Collector & District Magistrate, Adilabad in Procs.No.C3/4/0035/2021, dated 21.02.2022.
9. The Collector and District Magistrate, Adilabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU,
SECRETARY TO GOVERNMENT.

To
The Collector and District Magistrate, Adilabad District (By RPAD).

(Contd...3)

The Project Officer, ITDA, Uttoor, Adilabad District (By RPAD).
Sri Jadhav Ram Kumar S/o Datharam R/o Dhodandha thanda village,
Indervelly Mandal, Adilabad District (By RPAD)

Copy to:-

The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)
The District Panchayat Officer, Adilabad District.
(for information & necessary action)
The District Forest Officer, Adilabad District.
(for information & necessary action)
The Deputy Director (TW), O/o. PO, ITDA Uttoor, Adilabad District.
The PS to Hon'ble Minister for ST Welfare.
The PS to Secretary (TW).
The PS to Special Secretary (TW)
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER